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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America, } CR 98-353-3-PHX-SMM
Plaintiff, }
vs. }
Erwin Manuel, } **ORDER**
Defendant. }

A detention hearing and a preliminary revocation hearing on the Petition on Supervised Release were held on September 11, 2006.

THE COURT FINDS that the Defendant has knowingly, intelligently, and voluntarily waived his right to a detention hearing and a preliminary revocation hearing and has consented to the issue of detention being made based upon the allegations in the Petition.

THE COURT FURTHER FINDS that the Defendant has failed to sustain his burden of proof by clear and convincing evidence pursuant to Rule 32.1(a)(6), FED.R.CRIM.P., that he is neither a flight risk nor a danger to the community. United States v. Loya, 23 F.3d 1529 (9th Cir. 1994).

1 **IT IS ORDERED** that the Defendant shall be detained pending further order of the
2 court.

3 DATED this 14 day of September, 2006.

14⁺

day of September, 2006.

Lawrence O. Anderson
United States Magistrate Judge